

# NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

## NOTICE OF RULEMAKING DOCKET OPENING

### BOARD OF PHARMACY

[R05-288]

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Articles and their headings:** 1, Administration  
**Section numbers:** 6, Permits and Distribution of Drugs  
R4-23-110 and R4-23-621 (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rule:**  
The Board has approved at least two pharmacies in Arizona to provide central filling for other pharmacies. There is at least one pharmacy in Arizona that is providing prescription order processing for other pharmacies, and there are other pharmacies from outside Arizona who are providing prescription order processing for Arizona pharmacies. The Board has no rules defining the practice of providing prescription order filling or processing by one pharmacy for another pharmacy. It has been the Board's practice to take each case individually. The Board staff is proposing rules to define the practice of providing prescription order filling and processing by one pharmacy for another pharmacy. The proposed rules will include definitions added to R4-23-110 for "order," "shared order filling," "shared order processing," and "shared services." The proposed rules will include a new Section R4-23-621 (Shared Services) that details the requirements for participating in shared services (order filling and order processing or both), including notifications to patients, labeling, recordkeeping, confidentiality, and policies and procedures. The Board feels that the public, pharmacists, and pharmacies will benefit from rules that establish the standards for pharmacies that provide or utilize shared services. The rules will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.
3. **The agency docket number, if applicable:** R0507  
**A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Dean Wright, Compliance Officer  
Address: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302  
Telephone: (623) 463-2727, ext. 131  
Fax: (623) 934-0583  
E-mail: rxcop@cox.net
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
Time: Monday through Friday, 8 a.m. to 4:30 p.m.  
Location: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302  
Nature: Oral comments  
Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

[R05-289]

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Article and its heading:** 4, Professional Practices  
**Section numbers:** R4-23-402 (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rule:**  
Section R4-23-402 (Pharmacist, Graduate Intern, and Pharmacy Intern) was amended effective August 6, 2005. The changes implemented when this rule was amended included a requirement that a pharmacist or graduate intern or pharmacy intern under the supervision of a pharmacist shall document both the circumstance and reason for not providing oral consultation. It was the Board's intent to allow a pharmacist or graduate intern or pharmacy intern under the supervision of a pharmacist to delegate the actual documentation to a pharmacy technician or pharmacy technician trainee under the pharmacist's supervision. During final approval by G.R.R.C., the G.R.R.C. staff recommended grammar changes that took out the language that allowed a pharmacist to delegate the documentation required when counseling does not occur. The proposed rule adds language to allow a pharmacist or graduate intern or pharmacy intern under the supervision of a pharmacist to delegate the documentation of both the circumstance and reason for not providing oral consultation. The Board feels these changes are necessary to maintain the consistency of the proposed rules with existing Board rules (see R3-23-402(A)) and allow pharmacists more flexibility and control in the use of technology, their personnel, and their own time. The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.  
**The agency docket number, if applicable:** R0508
3. **A citation to all published notices relating to the proceeding:**  
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Dean Wright, Compliance Officer  
Address: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302  
Telephone: (623) 463-2727, ext. 131  
Fax: (623) 934-0583  
E-mail: rxcop@cox.net
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
Time: Monday through Friday, 8 a.m. to 4:30 p.m.  
Location: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302  
Nature: Oral comments  
Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
None

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD FOR CHARTER SCHOOLS

[R05-282]

1. **Title and its heading:** 7, Education  
**Chapter and its heading:** 5, State Board for Charter Schools  
**Articles and their headings:** 1, General Provisions  
2, New Charters  
3, Charter Oversight  
5, Audits and Audit Contracts  
**Section numbers:** Unknown at this time

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**2. The subject matter of the proposed rule:**

The Arizona State Board for Charter Schools is proposing rules to exercise general supervision over charter schools sponsored by the Board in accordance with statute.

**The agency docket number, if applicable:** None

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Kristen Jordison, Executive Director  
Address: Arizona State Board for Charter Schools  
1700 W. Washington, Room 164  
Phoenix, AZ 85007  
Telephone: (602) 364-3080  
Fax: (602) 364-3089  
E-mail: Jordison\_Kristen@pop.state.az.us

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be announced with the Notice of Proposed Rulemaking

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced with the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA RACING COMMISSION**

[R05-286]

**1. Title and its heading:**

**Chapter and its heading:**

**Articles and their headings:**

19, Alcohol, Horse and Dog Racing, Lottery, and Gaming  
2, Arizona Racing Commission  
1, Horse Racing  
3, Greyhound Racing (As part of this rulemaking, the Department may add, delete, or modify additional sections as necessary.)  
R19-2-103 and R19-2-303

**Section numbers:**

**2. The subject matter of the proposed rule:**

The proposed change in both the Horse Racing and Greyhound rules authorizes electronic filing of permit applications for the conduct of horse and greyhound race meetings.

**3. A citation to all published notices relating to the proceeding:**

None

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: William J. Walsh  
Address: Arizona Department of Racing  
1110 W. Washington St., Suite 260  
Phoenix, AZ 85007  
Telephone: (602) 364-1725  
Fax: (602) 364-1703  
E-mail: BWalsh@azracing.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Both written and oral comments will be accepted during business hours at the address and phone number listed in item #4.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

None